

By Senator Johnson:
 "Amend by adding after Section 4,
 'Navarro, Kaufman and Henderson.'"
 Adopted.

By Senator James:
 "Amend by adding after Section 4,
 'Franklin, Titus, Camp, Delta, Hopkins
 and Red River.'"
 Adopted.

By Senator Stafford:
 "Amend by adding to Section 4,
 'Wood, Rains, Smith, Gregg, Van Zandt
 and Upshur.'"
 Adopted.

By Senator Terrell:
 "Amend by adding to Section 4,
 'Wise, Denton and Montague.'"
 Adopted.

By Senator Morris:
 "Add to counties exempt under Section
 4, 'Bowie, Cass, Marion and Morris.'"
 Adopted.

By Senator Yantis:
 "Amend by adding after Section 4,
 'Milam, McLennan and Falls.'"
 Adopted.

By Senator Odell:
 "Amend by adding after Section 4,
 'Hill, Ellis and Johnson.'"
 Adopted.

Pending further action, on motion of
 Senator Davidson further consideration
 was postponed and the bill made special
 order for Friday next after call.

Senator Terrell entered a motion to re-
 consider the vote by which

Substitute House bill No. 54, A bill to
 be entitled "An Act to repeal Article
 492, Chapter 2, of Title XIII, of the
 Penal Code of the State of Texas, and to
 amend Article 491, of Chapter 2, Title
 XIII, of the Penal Code of the State of
 Texas, and declaring an emergency,"

Was passed, and that the House be re-
 quested to return same to the Senate for
 further consideration.

Senator Greer entered a motion to re-
 consider the vote by which the amend-
 ment offered by Senator McGee to Sec-
 tion 1 of the bill (Substitute House bill
 No. 54), to-wit: In Section 1 strike out
 the words "and such overseer or superin-
 tendent," was lost.

On motion of Senator Johnson, the
 Senate adjourned to 10 a. m. tomorrow.

TWENTY-SECOND DAY.

Senate Chamber,
 Austin, Texas, Wednesday, Feb. 8, 1899.

Senate met pursuant to adjournment.
 Lieutenant-Governor Browning in the
 chair.

Roll called. Quorum present, the fol-
 lowing Senators answering to their
 names:

Atlee.	Morris.
Burns.	Neal.
Davidson.	Odell.
Dibrell.	Pötter.
Greer.	Ross.
Grinnan.	Stafford.
James.	Stone.
Johnson.	Terrell.
Linn.	Turney.
Lloyd.	Wayland.
McGee.	Yantis.

Absent.

Kerr. Sebastian.

Absent—Excused.

Goss.	Miller.
Gough.	Patterson.
Hanger.	Yett.
Lewis.	

Prayer by the Chaplain, Rev. Dr. Den-
 son.

Pending the reading of the Journal of
 yesterday,

On motion of Senator Greer, the same
 was dispensed with.

PETITIONS AND MEMORIALS.

The President laid before the Senate
 the following memorial, which was read
 and referred to Committee on Military
 Affairs:

FIRST DIVISION SEVENTH ARMY CORPS,
 CAMP COLUMBIA.

Havana, Cuba, January 24, 1899.

*To the Honorable President and Senators
 Twenty-sixth Texas Legislature, Aus-
 tin, Texas:*

The non-commissioned officers and pri-
 vates of the First Texas Volunteer Infan-
 try would present: That when the Pres-
 ident of the United States called for vol-
 unteers in 1898, we cheerfully responded
 thereto, evidenced by our enrollment in
 May of said year. In doing so, many
 sacrifices were made—by some, business
 interests, by others lucrative positions,
 and by all separation from homes and
 family ties; prospects were not consid-
 ered. Our record proves that we were
 moved about from place to place, making
 it more expensive to us individually than
 if we had remained at one place, by
 reason of our having to fit up new quar-
 ters at each new place, making clothing
 boxes, gun racks, etc., and purchasing
 material necessary to do same.

Furthermore, our clothing allowance
 has been in most instances overdrawn, it
 having been incumbent upon us to pro-
 vide ourselves with suits of clothing suit-
 able for the cool and warm climates.

This, in addition to our having to provide such equipments as we could at starting out, and until such time as the government was able to supply us, cut our monthly stipend down to a nominal amount, rather say worked a hardship upon us; and besides this, our fare for a long time was not the best, and to supply the deficiency in this direction, absorbed balance of our wealth. To these facts we invite your earnest consideration.

Therefore, as many of the States have, so we believe, compensated their volunteers in foreign fields, notably so, New Jersey, New York, Massachusetts, Maine and Virginia—New Jersey alone allowing their soldiers about \$1.00 per day during their enlistment, can we not reasonably cherish the hope that our Lone Star State will prove to be the equal of gallant New Jersey.

Trusting that the foregoing conditions will merit favorable action by your honorable body, we are yours, in the land of the Antilles.

COMPANY "A."

Chas. Walker, first sergeant; Fred Bocock, second sergeant; Geo. B. Crockett, third sergeant; Otto Kersten, third sergeant; Karl L. Druesedon, fourth sergeant; Chas. L. Willard, quartermaster sergeant; John Reisner, corporal; Joe B. Burch, corporal; Richard Watkins, Henry A. Butler, Edwin T. Bookter, William Cahill, John B. Carothers, Alex Lind, Virgil Rogers, Louis Ball, Arthur C. Fleig, Paul Melms, J. W. McPhail, Louis A. Cramer, John W. Whalen, Earl K. Rogan, W. E. Scruggs, William G. Bourgeois, Jack J. Delhorn, Fred G. Rockel, Wilhelm Smith, Henry N. Nash, A. F. W. Gaedke, G. W. Medlenka, Frank Graham, George Roberts, John Johnson, H. Radford, E. L. Westall, J. R. Williams, W. W. Douglass, Jewett S. Callaway, Mack Smith, Jno. E. Graham, Wm. Flavin, G. P. Harnois, Ollen Cobb, Jas. W. Muntock, Robt. E. Lane.

COMPANY "B."

James C. Mabry, first sergeant, O. R. Willingham, Frank Campbell, Douglass D. Moore, B. B. Beard, Jas. Warren, C. Hageman, A. H. Burchard, E. Hickman, C. F. Colby, corporal; Chas. Dean, Arthur Mason, George Ellis, James Smith, Chas. Whittrun, G. D. Mason, second sergeant, Edwin H. Watts, Geo. F. Brunow, Lee Fry, F. G. Newing, Dave Ferguson, H. L. Mathews, Eugene Parrish, Jr., O. A. Sorenson, H. A. Seiverts, Charles Roe, H. Feil, Ferd Freumbly, Wm. Von Hardenberg, Paul Von Har-

denberg, C. J. Schmidt, J. S. Henderson, R. E. Lovejoy, John T. O'Connor, David E. Nunez, J. Vanden Eude, James W. Carter, Phil Rutteger, H. Scheiber, Dan Garvin, William Adams, Jim Carter, Corporal A. T. Heitsman, H. Hagrefe, L. Keiffer, A. G. Graham, sergeant; J. H. Wiley, corporal; W. E. Harrington, sergeant; Wm. Schoenerstedt, F. W. Pittinger.

COMPANY "C."

Thos. C. Kendall, sergeant; Pearce Noland, sergeant; Thomas W. Conan, sergeant; John M. Grant, sergeant; Gwyn M. Bass, corporal; Frank M. Kinney, corporal; John D. Simpson, corporal; W. L. Saner, corporal; S. J. Hooley, corporal; James V. Murphy, corporal; Harry C. Silvernail, corporal; H. H. Goodwin, corporal; Jesse N. Ingram; Privates M. P. Kelly, Albert Olhe, T. H. Hoencke, A. L. Holman, L. Leegage, Sylvia M. Gosson, John Kisslong, Thomas Sullivan, Sam G. Morris, William Stephens, Charles L. Camp, Ernest M. Keur, James Dunn, Wm. M. Hopkins, Lee E. Moore, C. P. Rencher, W. M. Powell, Peter Bacher, Lee Mahan, Jos. H. Griffin, William Lee, Thurs Von J. Bland, J. Bland, J. D. Fletcher, Chas. C. Massey, Wm. H. Lucker, Wm. Spool, Fred Fetchlen, William E. Walsh, Gun A. Hartman.

COMPANY "D."

Corporal G. W. Erwin, Finley McKee, Jno. Richardson, Clarence Kimerly, James A. Elliott, William S. Clark, Virgil N. Lott, H. D. Abernathy, Daniel Brandan, Arthur Lard, William G. Panter, Sam W. Smith, Sam B. Magee, Gus Mar, Ben Hatcher, John P. Vick, R. J. Pinchin, J. S. White, H. D. Lane, Jake Adcock, M. F. Woodruff, Fred C. Hartcraft, Roscoe Redus, Ize Holloway, W. P. Bell, R. L. Neely, F. H. Noys, Jeff Clark, Max C. Zuck, E. T. Noyes, W. C. Bagnet, M. D. Segler, J. M. French, J. W. Blackburn, George R. Noyes, Dan T. Connolly, C. R. Ayers, Herman Zeazer, O. L. Young, Henry W. Davis, Corporal R. E. Lee Kite, Geo. T. Ramsey, Will K. Beltinger, Sergeant Robt. L. Vaughn.

COMPANY "E."

Wm. I. Derden, Chas. K. Greaves, F. O. Stevens, H. H. Keith, H. T. Hailey, L. W. S. Curt, Robt. R. Hall, Sam C. Trimney, Emil Pamer, John C. Easton, B. F. Trammell, C. C. Watson, H. M. Moreland, J. F. Beasonover, A. C. Franklin, H. K. Voil, A. H. Hammond, G. G. Page, Alfred E. Bippert, Thomas J. Rawls, John McCarty, Luther B. Pool, Chas. Stutzel, Jack G. Serivinet, Harry Brens-

pon, C. E. Turner, Frank Timbs, W. T. Wallace, John R. Simpson, John H. Harbison, A. W. Dear, R. L. Hess, J. F. Guy, Tom Cullen, Frank J. Buchanan, M. A. Turner, Harry Rogers, Lee Gray, F. Teeter, W. R. Scruggs.

COMPANY "F."

Sergeants C. L. Hutchesson, Van Howard, Gus Neggle, Corporals F. A. Bossy, W. Craven, C. Musgrove, A. D. Zavala, Chas. O. Lipscomb, Chas. C. Parhe; Privates Adam Seibel, J. C. Dillon, J. Costar, J. D. Hardin, James Henrity, F. McRee, G. T. James, W. H. Jackson, C. S. Cross, W. G. Martin, J. M. Graham, Thos. Smith, C. B. Ward, C. F. Elliott, H. J. Redmond, Sergeants Birdsall Brinc, Jack Burke; Corporals C. S. Bateman, Wm. W. Rife, J. W. Dick, Thos. H. Ward; Privates O. J. Augtrenbaugh, C. R. Aiken, A. P. Jones, K. Richardson, Harry M. Swenson, R. H. Taylor, Geo. D. Field, Louie Hoag, E. I. Hermann, J. R. Stephenson, H. A. Dimoline, F. D. Hawes.

COMPANY "G."

Chas. C. Convers, Chas. Gerlach, George F. Farrell, Theo. V. Weise, W. T. Via, H. F. Alexander, S. M. White, Tom D. Applewhite, E. Martin Zuesmeyer, Junior T. Bailey, Geo. A. Chavez, Anton Adam, John J. Durst, Geo. B. Lee, Wm. Dawson, J. P. Bowman, J. B. Allbright, C. M. McGinnis, W. Mulray, Jr., L. T. Gillett, B. R. LeStourgevy, H. W. Reichelt, Jos. Passant, Wm. Summers, Geo. P. Childers, F. Wegermann, Jno. Crawford, Geo. Barnes, R. L. Schmerbeck, Jr., Jno. M. Proctor, W. T. Langridge, J. F. Muller, Arthur E. Gentzen, Alex J. Chavez, R. M. Rogers, J. A. Robinson, W. B. Porter, Ed. McKay, W. S. Brunner, George T. Salter, Clarence H. Gentzen, Edw. B. Happenbeck, E. F. Horn, Felix Taylor.

COMPANY "H."

C. L. Renfro, sergeant; P. Hopkins, corporal; Pleasant Burke, C. R. Overmeyer, Dan Tatum, Stephane Hroncih, James A. Whalin, H. C. Bates, corporal; Sam Hazzlewood, J. H. O'Gish, J. W. Ellis, corporal; A. C. Sterling, Geo. W. Druitt, J. Coutier, T. G. Smith, Wm. Millard, corporal; Jos. Opravill, P. H. Proctor, E. T. Gregory, Alfred Penker, W. Rosenski, Robert Leak, William F. Huff, C. I. Glenn, Robert Syler, Jno. P. Hoffman, Frank Rochlich, R. H. Gilliam, Joseon Kuteron, K. E. Malvin, Walter C. Walker, J. H. Woods, O. M. Hart, John H. Bownan, A. A. Jilek, corporal; J. F. Johnson, W. G. Howard, Frank Sellars, Amos Adolphson.

COMPANY "I."

Claude Turner, first sergeant; Henry L. Stephen, quartermaster sergeant; E. D. Lomp, sergeant; J. D. Wood, sergeant; Fred R. Holland, corporal; Jesse McCowan, corporal; John M. Johnson, corporal; L. O. Campbell, corporal; T. L. Fisher, corporal; J. D. Carrol, corporal; Charlie Gann, James H. Reeves, William Terry, Maurice Gilland, Samuel Leve, J. C. Davis, Ullie Clark, J. N. Hatfield, J. M. Mullins, W. H. Chitwood, J. R. Simpson, J. E. J. McAllister, James Teeling, Dabney Chiles, Albert W. McNeill, W. A. Davis.

COMPANY "K."

R. F. Duggan, W. W. Hart, H. E. Mason, A. H. Denton, H. W. Thorpe, W. D. Caulbort, M. S. Limebarger, corporal; Otto Richter, corporal; Booth Green, sergeant; Joe A. Kirk, corporal; W. P. Aynesworth, John B. Gates, Dott Corley, D. M. Pinnell, Charles Junz, A. A. Barnard, J. L. Gouis, Chas. A. Ivey, Henry Harness, Thomas L. Ellis, Sam Wade, Frank W. Turney, Arch Attwood, John Stinnett, Virgil M. Lacy, Ira McMullen, D. W. Wilson, Dorsey Rushing, Wiley G. Thompson, Dick S. Atwood, Elmer H. Roper, Jordan F. Everett, John G. Wheelless, A. P. Elliott.

COMPANY "L."

A. W. Blow, first sergeant; Jas. P. Tobin, Chas. A. Hartenstein, E. A. Murchison, sergeant; M. C. McMahon, corporal; W. F. Chambers, sergeant; Robert Moore, corporal; Fred E. Odell, corporal; James Browne, Charles T. Pally, D. B. Keedy, Steve Jarmon, corporal; Thomas A. Hall, Chas W. Cochran, Joseph D. Williams, L. R. Mahorner, John G. Moore, W. C. Lemaster, Thomas B. Curtis, Edmund Waechter, Mathew Ford, Matthew Shelton, David S. Miller, Robert G. Rucker, corporal; Carl Becker, Ed. Scull, A. J. Miner, corporal; Frank J. Faulk, corporal; Percy Aylett, sergeant; J. A. Jackson, George A. Johnson, Charles L. Messner, Walter E. Mileham, H. H. Shapard, quartermaster sergeant; Giddion W. Haberlin, Otto Schneider, Davy Allen, Gerard Light, George W. Glover, Henry S. McDowell, E. G. Johnson, J. B. Cheek, James Gentry, corporal; John F. Hoke, W. E. West, J. B. Koch.

COMPANY "M."

Abner Lunsford, first sergeant; James C. Patterson, second sergeant; Thos B. Duke, fourth sergeant; James A. Harbison, sergeant; James K. Lacock, corporal; Robert G. Payne, corporal; C. F. Spalding, corporal; A. D. Findley, cor-

poral; J. Darrington, J. W. McClendon, O. A. Shundt, G. B. Bynum, M. L. Leonhard, Emerson D. Hill, Geo. W. Clarke, Aubrey Ahyres, Robt. L. Patton, Edgar A. Maross, Berry C. Smith, sergeant; Loeing S. Sterling.

FIRST TEXAS BAND.

Harry N. Cahoon, Geo. F. Ramsey, Gustave Schmidt, Dan Stanter, S. R. Tison, Harry W. Rist, Wm. Hoffman, Aug. J. Kops, Frank Bennet, Oscar Thorlesen, Fred Goss, T. H. Canturle, A. K. Crisler, L. Dow. Daggett, John F. Horn, Lorenzo Kopf, Harry Smith, Massy Teague.

By Senator Davidson:

Memorial from citizens of Victoria county, asking favorable consideration of measures looking to the destruction of the "Mexican boll weevil."

Read, and referred to Committee on Agricultural Affairs.

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, Feb. 7, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 89, being a bill to be entitled "An Act to amend Articles 870 and 873, of Chapter 1, Title XXV, of the Revised Civil Statutes, relating to county finances, and to add to said chapter and title Article 871a, so as to make the law applicable to municipal corporations,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

ATLEE, Chairman.

Committee Room,
Austin, Texas, Feb. 7, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 78, being a bill to be entitled "An Act to validate Patent No. 146, Volume 15, issued to A. J. Gray, to 426 acres of land in Comanche county, Texas,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

ATLEE, Chairman.

Committee Room,
Austin, Texas, Feb. 7, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 131, being a bill to be entitled "An Act to amend Articles 3235, 3236 and 3240, of the Revised Civil Statutes of the State of Texas of 1895, relating to the preference lien granted to the landlord for rents, supplies, advances, etc.,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

ATLEE, Chairman.

Committee Room,
Austin, Texas, Feb. 7, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 69, being a bill to be entitled "An Act to amend Articles 331a and 331b, of Chapter 3, Title XIV, Revised Civil Statutes of the State of Texas, adopted at the Regular Session of the Twenty-fourth Legislature of 1895, so as to further define connecting lines of common carriers, their relationship to each other and to those dealing with them, and to prescribe a rule of evidence as to such relationship and to further prescribe their duties and liabilities,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do not pass*.

ATLEE, Chairman.

Committee Room,
Austin, Texas, Feb. 7, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 83, being a bill to be entitled "An Act to amend Articles 5157 and 5159, of the Revised Civil Statutes of the State of Texas, relating to the bonds of tax collectors,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

ATLEE, Chairman.

Committee Room,
Austin, Texas, Feb. 7, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 17, being a bill to be entitled "An Act requiring the claimant of the title to land under the statutes of limitation of five years and of ten years to record a declaration of his claim after

the same has matured; and providing what said declaration shall contain; and defining the rights of innocent purchasers of the land so claimed; and further providing the compensation of clerks for recording such claims,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that the accompanying substitute bill in lieu thereof *do pass*.

ATLEE, Chairman.

Committee Substitute bill, in lieu of Senate bill No. 17:

A bill to be entitled "An Act requiring claimant of the title to land under the statute of limitation of ten years, having no written memorandum of title of record, to record a declaration of his claim and providing what said declaration shall contain; and defining the rights of innocent purchasers of land so claimed; and further providing compensation to the clerks for recording same."

Be it enacted by the Legislature of the State of Texas:

Section 1. That any person asserting title to land acquired or claimed under the statute of limitation of ten years, having no written memorandum of title of land, shall be required to make a written declaration that he claims such land by virtue of the statute of limitation of ten years, and further stating the number of years of his occupancy of same by himself and those under whom he holds. Such declaration shall describe the land he claims so it may be identified and shall be signed by the claimant and acknowledged by him or proven for record as deeds are required to be acknowledged or proven, and filed with the county clerk of the county where such land lies; and such declaration shall be recorded by the clerk as deeds are required to be recorded, and the clerk shall receive the same compensation therefor as they receive for recording deeds. Such declaration from and after the filing shall constitute notice.

Sec. 2. That unless such claimant to land shall so record his claim, creditors acquiring an interest or purchasers of the same for a valuable consideration, without notice, actual or constructive, from the person having the record title, shall, as against such claimant under the statute of limitation, acquire a superior title. However, this act shall in no manner be construed to effect the rights of such claimant except as to innocent purchasers and creditors.

Committee Room,
Austin, Texas, Feb. 7, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 122, being a bill to be entitled "An Act to provide for the redemption of land sold for taxes due an incorporated city or town, and providing that redemption of the land so sold may be had within two years from date of such sale, and providing the terms, conditions and penalties incident thereto,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

ATLEE, Chairman.

Committee Room,
Austin, Texas, Feb. 7, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 37, being a bill to be entitled "An Act to amend Article 2460, Revised Civil Statutes of Texas, by adding Articles 2640a, 2640b, 2640c and 2640d, relating to mileage charged by sheriffs and constables in civil cases,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

ATLEE, Chairman.

Committee Room,
Austin, Texas, Feb. 7, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 106, being a bill to be entitled "An Act to validate acknowledgments to all instruments constituting links to the chain of title, or effecting the title to any lands in the State of Texas, to quiet title to same and to repeal all laws in conflict with the provisions of this act."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*, with the following amendment:

Amend by substituting "ten" in lieu of "five" wherever it occurs in the bill.

ATLEE, Chairman.

Committee Room,
Austin, Texas, Feb. 7, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 91, being a bill to be entitled "An Act for the appointment of a receiver to take charge, control and management of all property and assets of any railroad company when the enforcement of any of the freight or tariff rates fixed by the railroad commission is or has been enjoined by suit in any court, State or Federal,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do not* pass.

ATLEE, Chairman.

Committee Room,
Austin, Texas, Feb. 7, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: We, the undersigned members of your Judiciary Committee No. 1, not being able to agree with the majority of the committee upon the consideration of

Senate bill No. 91, being a bill to be entitled "An Act for the appointment of a receiver to take charge, control and management of all the property and assets of any railroad company when the enforcement of any of the freight or tariff rates fixed by the Railroad Commission is or has been enjoined by suit in any court, State or Federal,"

Beg leave to recommend that the bill *do* pass.

LINN.

Committee Room,
Austin, Texas, Feb. 7, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 109, being a bill to be entitled "An Act to amend Article 155, Title VI, Chapter 1, of the Penal Code of the State of Texas,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do not* pass.

YANTIS, Chairman.

Committee Room,
Austin, Texas, Feb. 7, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: A minority of Judiciary Committee No. 2, to whom was referred

Senate bill No. 109, being a bill to be entitled "An Act to amend Article 155, Title VI, Chapter 1, of the Penal Code of the State of Texas,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

JAMES,
GRINNAN,
DAVIDSON.

Committee Room,
Austin, Texas, Feb. 7, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 81, being a bill to be entitled "An Act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose, and to prevent unauthorized uses and traffic in human bodies, and to legalize dissections by authorized persons,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

YANTIS, Chairman.

Committee Room,
Austin, Texas, Feb. 7, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 73, being a bill to be entitled "An Act to repeal Chapter 10, of Title LXXIX, of the Revised Civil Statutes of the State of Texas, relating to the hiring of county convicts,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it be referred to Judiciary Committee No. 1.

YANTIS, Chairman.

Committee Room,
Austin, Texas, Feb. 7, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 116, being a bill to be entitled "An Act to amend Articles 529, 529e, 529i, Chapter 5, Title XIII, of the Revised Penal Code of the State of Texas of 1895, and adding thereto Article 529u, and amending Article 529g and 529s, and repealing Subdivision 18 of Article 529g, of Chapter 98, of the General Laws

of the State of Texas of 1897, relating to the offenses for the protection of fish, birds and game, and to repeal all laws in conflict herewith,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

YANTIS, Chairman.

Committee Room,
Austin, Texas, Feb. 7, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Agricultural Affairs, to whom was referred

Senate bill No. 114, being a bill to be entitled "An Act to amend Articles 3862, 3863 and 3866, Revised Civil Statutes, relating to the government of the Agricultural and Mechanical College of Texas,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

WAYLAND, Chairman.

Committee Room,
Austin, Texas, Feb. 7, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Public Roads, Bridges and Ferries, to whom was referred

Senate bill No. 86, being a bill to be entitled "An Act to create a more efficient road system for Robertson county, Texas, and making county commissioners of said county ex-officio road commissioners, and prescribing their duties as such, and providing for their compensation as road commissioners, and providing for the appointment of deputy road commissioners, and defining the powers and duties of such county commissioners, and providing for the appointment of road overseers, and defining their duties, and for the working of county convicts upon the public roads of said county, and providing for officers' fees and rewards for the capture of escaped convicts, and to provide for the manner of training hedges along any public road, and to provide for the summoning of teams for road work, and for an allowance of time of road service for same, and fixing a penalty for a violation of this act, and repeal all laws in conflict with this act,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass* with the following amendment:

"Amend by adding to Section 14, the following:

"Provided further, that no commissioner shall receive any pay for riding over and inspecting the roads in his precinct until he is satisfied and has satisfied the commissioners court that the overseer of each road in his precinct has called out and used all lawful means to work the hands on his particular road the number of days required by law."

ODELL, Chairman.

Committee Room,
Austin, Texas, Feb. 7, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Internal Improvements, to whom was referred

Senate bill No. 111, being a bill to be entitled "An Act to authorize the Southern Kansas Railway Company of Texas to purchase the Panhandle Railway, and to operate the same under the charter of the Southern Kansas Railway Company of Texas, as a part of its own line, with the right to extend the same, and to construct branches therefrom by amendment of its charter, under the General Laws of the State of Texas,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

STAFFORD, Chairman.

Committee Room,
Austin, Texas, Feb. 7, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Judicial Districts, to whom was referred

House bill No. 351, being a bill to be entitled "An Act to fix the time for holding the courts in the Thirty-fifth Judicial District, and to repeal all laws in conflict therewith,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

DAVIDSON, Chairman.

Committee Room,
Austin, Texas, Feb. 7, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Public Health, to whom was referred

Senate bill No. 82, being a bill to be entitled "An Act to regulate the registering of medical diplomas, and fixing the penalty for refusing or neglecting to do so, and to regulate the issuance of certificates to practice medicine in this State."

Have had the same under considera-

tion, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

LINN, Acting Chairman.

Committee Room,
Austin, Texas, Feb. 7, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Public Health, to whom was referred

Senate bill No. 76, being a bill to be entitled "An Act to prevent the sale of cigarettes and tobacco to persons under the age of sixteen years, and to prescribe a penalty for violating the same,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

LINN, Acting Chairman.

Committee Room,
Austin, Texas, Feb. 7, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Finance, to whom was referred

Senate bill No. 108, being a bill to be entitled "An Act to amend Article (1012), of the Revised Civil Statutes, relating to the salary of court stenographers,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

DIBRELL, Chairman.

Committee Room,
Austin, Texas, Feb. 7, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Finance, to whom was referred

Senate bill No. 105, being a bill to be entitled "An Act to amend Articles 4786 and 4788, of Title XCVII, Chapter 7, of the Revised Civil Statutes of the State of Texas, relating to the elections for road taxes,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

DIBRELL, Chairman.

Committee Room,
Austin Texas, Feb. 7, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Finance, to whom was referred

Senate bill No. 112, being a bill to be entitled "An Act granting a pension to

Hardy W. B. Price, a San Jacinto veteran,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass with the following amendment:

"Amend the bill by adding after the word 'enacted' the words 'by the Legislature of the State of Texas.'"

DIBRELL, Chairman.

Committee Room,
Austin Texas, Feb. 7, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Finance, to whom was referred

House bill No. 293, being a bill to be entitled "An Act to make an appropriation to secure a proper defense of the ten suits now pending in the United States Circuit Court for the Western District of Texas, known as the injunction suits against the Railroad Commission of Texas,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

DIBRELL, Chairman.

BILLS AND RESOLUTIONS.

By Senator Davidson:

Senate bill No. 133, A bill to be entitled "An Act to prescribe the time for holding the terms of the district court of the Thirty-sixth Judicial District of the State of Texas, and to repeal all laws or parts of laws in conflict with this act."

Read first time, and referred to Committee on Judicial Districts.

By Senator Atlee:

Senate bill No. 134, A bill to be entitled "An Act to abolish the unorganized county of Encinal; to establish the boundaries of Webb county, so as to include the territory of said unorganized county; to provide for the transfer of funds belonging to said county in the State treasury, to the treasury of Webb county, and for the collection of taxes due from non-residents."

Read first time, and referred to Committee on Counties and County Boundaries.

By Senator Atlee:

Senate bill No. 135, A bill to be entitled "An Act to amend Section 1, Chapter 135, of the Acts of 1897, Regular Session of the Twenty-fifth Legislature, relating to the regulation of fire, fire and marine insurance companies, and adding the emergency clause."

Read first time, and referred to Com-

mittee on Insurance, Statistics and History.

Call concluded.

HOUSE MESSAGE.

The following House message was received:

Hall of the House of Representatives,
Austin, Texas, Feb. 8, 1899.

Hon. Jas. N. Browning, President of the Senate.

I am directed by the House to inform the Senate of the passage of the following bill:

House bill No. 123. "An Act to authorize the Southern Kansas Railway Company of Texas to purchase the Panhandle Railway and to operate the same under the charter of the Southern Kansas Railway Company of Texas, as a part of its own line, with the right to extend the same and construct branches therefrom by amendment of its charter under the General Laws of Texas."

Also "An Act to provide for the removal of the remains of the late lamented W. A. A. Wallace, familiarly known as 'Big Foot' Wallace, from Frio county and for their interment in the State cemetery at Austin, and making the necessary appropriation therefor."

The House has granted the request of the Senate to return Substitute House bill No. 54, and it is herewith returned to the Senate.

Respectfully,

LEE J. ROUNTREE,

Chief Clerk House of Representatives.

IN SENATE.

The above reported House bills were read first time, and referred as follows:

House bill No. 353, to Committee on Finance.

House bill No. 123, to Committee on Internal Improvements.

CLERK TO ATTEND SPECIAL COMMITTEE TO VISIT ASYLUMS.

The Chair announced that committee clerk F. B. Hughes, would attend the special committee appointed to visit the asylums.

SPECIAL ORDER.

The Chair laid before the Senate,

Senate bill No. 30, A bill to be entitled "An Act to define libel and privileged communications and publications, and to more effectually secure the liberty of the press, and to prevent abuses in exercising such liberty of the press," action being on the substitute amendment by Senator Atlee for the amendment offered by Senator McGee, they being, towit:

By Senator McGee:

"Amend by striking out the word 'not,' in line 19, page 1, and by striking out the words 'but shall be proven like any other fact,' line 20, page 1."

By Senator Atlee:

"Substitute the amendment:

"Insert after the word 'publication,' in line 20, page 1, the word 'alone.'"

(President pro tem. Stafford in the chair.)

After lengthy consideration and pending discussion by Senator McGee, on motion of Senator Linn the Senate adjourned to 10 a. m. tomorrow.

TWENTY-THIRD DAY.

Senate Chamber,

Austin, Texas, Thursday, Feb. 9, 1899.

Senate met pursuant to adjournment.

Lieutenant-Governor Browning in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.	Odell.
Burns.	Patterson.
Davidson.	Potter.
Dibrell.	Ross.
Greer.	Sebastian.
Grinnan.	Stafford.
James.	Stone.
Linn.	Terrell.
Lloyd.	Turney.
McGee.	Wayland.
Miller.	Yantis.
Neal.	

Absent.

Johnson.	Morriss.
Kerr.	

Absent—Excused.

Goss.	Lewis.
Gough.	Yett.
Hanger.	

Prayer by the Chaplain, Rev. Dr. Denison.

Pending the reading of the Journal of yesterday,

On motion of Senator Stafford, the same was dispensed with.

EXCUSED.

On motion of Senator Odell, Senator Sebastian was excused for non-attendance on yesterday, on account of important business.

PETITIONS AND MEMORIALS.

By Senator McGee:

Petition from citizens of Marshall, Harrison county, asking for the passage